

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

PRESS CLEAN SALES, LLC,
Plaintiff,
-against-

MAXUM TRANS INC.,
Defendant.

ADOPTION ORDER
15-cv-3857 (ADS)(AYS)

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APPEARANCES:

Hill Rivkins LLP
Attorneys for the Plaintiff
45 Broadway
Suite 1500
New York, NY 10006
By: James A. Saville, Esq.,
John J. Sullivan, Esq.,
Andrew John Warner, Esq., Of Counsel

NO APPEARANCES:

Maxum Trans Inc.
The Defendant

SPATT, District Judge.

On July 1, 2015, the Plaintiff Press Clean Sales LLC (the “Plaintiff”) commenced this action against the Defendant Maxum Trans Inc. (the “Defendant”) pursuant to the Carmack Amendment, 49 U.S.C. § 14706 et seq., to recover losses caused by a damaged shipment.

On December 3, 2015, the Clerk of the Court noted the default of the Defendant.

On June 6, 2016 the Plaintiff moved for default judgment. On June 17, 2016, this Court referred the Plaintiff’s motion for default judgment to United States Magistrate Judge Anne Y. Shields for a report and recommendation as to whether the default judgment should be granted and, if so, whether damages should be awarded.

On January 26, 2017, Judge Shields issued a report and recommendation (the “R&R”) recommending that default judgment be granted, and that the Plaintiff be awarded damages in the amount of \$154,926.54. The Plaintiff filed proof of service of the R&R to the Defendant on the same day.

It has been more than fourteen days since the service of the R&R, and the parties have not filed objections.

As such, pursuant to 28 U.S.C. § 636(b) and Federal Rule of Civil Procedure 72, this Court has reviewed the R&R for clear error, and finding none, now concurs in both its reasoning and its result. See Coburn v. P.N. Fin., No. 13-CV-1006 (ADS) (SIL), 2015 WL 520346, at *1 (E.D.N.Y. Feb. 9, 2015) (reviewing Report and Recommendation without objections for clear error).

Accordingly, the R&R is adopted in its entirety. The Clerk of the Court is directed to enter judgment for the Plaintiff in accordance with the R&R, and to close this case.

SO ORDERED.

Dated: Central Islip, New York

February 10, 2016

/s/ Arthur D. Spatt
ARTHUR D. SPATT
United States District Judge